

SUPREME COURT OF ILLINOIS

COURT CONVENED AT 9:30 A.M., WEDNESDAY, JANUARY 21, 2004

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

REHEARING DOCKET

No. 95350 - People State of Illinois, appellant, v. Mary Braggs, appellee.

Motion by appellant for an extension of time for filing petition for rehearing to and including January 29, 2004. Motion allowed.

Order entered by Justice Rarick.

PEOPLE'S DOCKET

No. 96367 - People State of Illinois, appellant, v. Gerald Scott Huddleston, appellee.

Motion by appellee for an extension of time for filing brief to and including February 12, 2004. Motion allowed.

Order entered by Justice Garman.

CIVIL DOCKET

No. 96978 - Central Illinois Light Company, etc., appellee, v. The Home Insurance Company etc., et al., appellants.

Motion by appellants to allow Neal Glazer and Jan Duffalo of D'Amato & Lynch to appear pro hac vice pursuant to Supreme Court Rule 707. Motion allowed.

Order entered by Justice Kilbride.

No. 97653 - Ford Motor Company, movant, v. Honorable Lloyd A. Cueto, Judge of the 20th Judicial Circuit, etc. et al., respondents.

Emergency motion by movant for an order staying the January 27, 2004, deposition of Mr. William Clay Ford, Jr., and the January 23, 2004, deposition of Mr. Nick Scheele in the Circuit Court of St. Clair County in St. Clair County et al., v. Ford Motor Company et al., case No. 03-L-115, pending disposition of movant's motion for a supervisory order. Motion denied.

Order entered by Justice Rarick.

LEAVE TO APPEAL DOCKET

No. 97315 - Larry R. Wetzell, petitioner, v. Timothy Tolliver et al., respondents.

Motion by petitioner, pro se, for default judgment. Motion denied.

Order entered by Justice Rarick.

No. 97322 - Scott Tade et al., respondents, v. Larry R. Wetzell, petitioner.

Motion by petitioner, pro se, to transfer this case to the United States Bankruptcy Court for the Southern District of Illinois. Motion denied.

Order entered by Justice Rarick.

No. 97377 - In re J.S., a Minor (People State of Illinois, petitioner, v. J.S., a Minor, respondent).

Motion by petitioner for leave to file an amendment instant to petition for leave to appeal. Motion allowed.

Order entered by Chief Justice McMorro.

No. 97389 - People State of Illinois, respondent, v. Charles Nesci, petitioner.

Motion by petitioner to withdraw petition for leave to appeal. Motion allowed.

Order entered by Chief Justice McMorro.

No. 97622 - People State of Illinois, respondent, v. Leanne Childs, petitioner.

Motion by petitioner for an extension of time for filing petition for leave to appeal to and including February 6, 2004. Motion allowed.

Order entered by Justice Garman.

No. 97630 - People State of Illinois, respondent, v. Deshawn Gardner, petitioner.

Motion by petitioner for an extension of time for filing petition for leave to appeal to and including January 30, 2004. Motion allowed.

Order entered by Chief Justice McMorrow.

THE FOLLOWING MOTIONS WERE PRESENTED AND ORDERS WERE ENTERED AS INDICATED:

ADVISEMENT DOCKET

No. 95576 - People State of Illinois, appellee, v. Lee Jones, appellant.

Motion by appellee for leave to cite additional authority instante. Motion allowed.

Order entered by Justice Rarick.

No. 95663 - People ex rel. Lisa Madigan, Attorney General of the State of Illinois, et al., etc., petitioners, v. Donald N. Snyder, Jr., Director, Illinois Department of Corrections, et al., etc., respondents.

Motion by respondent SanAntone Moss to stay this Court's order of October 27, 2003, directing the Circuit Court of Cook County to conduct a fitness hearing in case No. 94 CR 24459, People v. Moss.

No. 96929 - Andrew J. Kalita, petitioner, v. Jessie White, Illinois Secretary of State, respondent.

Motion by petitioner for leave to file a motion for reconsideration of the order denying petition for leave to appeal.

No. 97278 - Harris Bank Frankfort et al., respondents, v. Brett Rizzi, Indv., etc., et al., movants.

Motion by respondent Harris Bank Frankfort for leave to file a supplemental response instanter in opposition to movants' motion to transfer and consolidate.

No. 97497 - People ex rel. Richard A. Devine, State's Attorney of Cook County, petitioner, v. Hon. Paul P. Biebel, Jr., Presiding Judge of the Criminal Division of the Circuit Court of Cook County, et al., etc., respondents.

Motion by respondent Hon. Leo E. Holt for the Hooks Law Offices to file an appearance on behalf of respondent and for an extension of time to and including February 4, 2004, for filing response to petitioner's motion for leave to file a petition for an original writ of mandamus or supervisory order. Request to file appearance allowed. Request for extension of time denied as moot.

Order entered by Chief Justice McMorrow.

#### PEOPLE'S DOCKET

No. 95987 - People State of Illinois, appellant, v. Robert W. Burns, appellee.

Motion by appellee for leave to cite additional authority instanter.

No. 96806 - People State of Illinois, appellee, v. Jeremy Greer, appellant.

Motion by appellee for an extension of time for filing brief to and including February 25, 2004. Motion allowed.

Order entered by Justice Garman.

No. 96898 - People State of Illinois, appellant, v. Cardenal Brown, appellee.

Motion by appellant for an extension of time for filing brief to and including February 11, 2004. Motion allowed.

Order entered by Chief Justice McMorrow.

No. 97070 - People State of Illinois, appellant, v. Ernesto Guevara, appellee.

Motion by appellant for leave to supplement the record on appeal with the transcript of July 23, 2003.

No. 97104 - In re K.S., a Minor (People State of Illinois, appellant, v. Kevin S., appellee).

Motion by the Cook County Public Guardian for leave to appear and file a brief as amicus curiae instant in support of appellant.

#### CIVIL DOCKET

No. 96210 - Patricia Abrams, Indv., etc., et al., appellees, v. The City of Chicago, etc., appellant.

Motion by the Illinois Trial Lawyers' Association for leave to appear and file a brief as amicus curiae instant in support of appellees. Motion allowed.

Order entered by Chief Justice McMorro.

No. 96805 - Jewelers Mutual Insurance Company, etc., et al., appellees, v. Firststar Bank Illinois, appellant.

Motion by appellant for an extension of time for filing brief to and including February 11, 2004. Motion allowed.

Order entered by Chief Justice McMorro.

No. 96963 - Richard Girot, appellant, v. Kenneth Keith, etc., et al., appellees.

Motion by the Independent Voters of Illinois, Independent Precinct Organization, and Midwest Center for Democracy for leave to appear and file a brief as amici curiae instant in support of appellant. Motion allowed.

Order entered by Justice Kilbride.

No. 96978 - Central Illinois Light Company, etc., appellee, v. The Home Insurance Company etc., et al., appellants.

Motion by Complex Insurance Claims Litigation Association for leave to appear and file a brief as amicus curiae instanter in support of appellants. Motion allowed.

Order entered by Justice Kilbride.

No. 97059 - Norma Perez De Bates, etc., appellant, v. R. Edward Bates, appellee.

Motion by Justice for Children for leave to file brief as amicus curiae instanter.

Motion by amicus curiae Justice for Children to allow Pamela Harris of O'Melveny & Myers LLP to appear pro hac vice.

Motion by amicus curiae Justice for Children to allow Alene Ross Levy of Haynes and Boone, LLP, to appear pro hac vice.

No. 97327 - In re the Parentage of: John M., a Minor (Javier Valdivia et al., appellees, v. Maria Matias Izaguirre, appellant).

Motion by appellant for an extension of time for filing brief to and including February 26, 2004.

No. 97581 - Bruno Vasquez, movant, v. Hon. Warren D. Wolfson et al., Justices of the Appellate Court, First District., respondents.

Motion by movant for leave to file a reply to the State's objection and response to movant's motion for a supervisory order instanter. Motion allowed.

Order entered by Chief Justice McMorro.

No. 97641 - Raymond Moeller et al., movants, v. Hon. Denise M. O'Malley, Justice of the Appellate Court, First District, et al., respondents.

Motion by movants for a supervisory order.

No. 97653 - Ford Motor Company, movant, v. Honorable Lloyd A. Cueto, Judge of the 20th Judicial Circuit, etc. et al., respondents.

Motion by movant for a supervisory order.

LEAVE TO APPEAL DOCKET

No. 96897 - People State of Illinois, respondent, v. Anthony Jones, petitioner.

Motion by petitioner, pro se, to cite additional authority instant. Motion allowed.

Order entered by Chief Justice McMorrow.

No. 97077 - Samih Murad, petitioner, v. Department of Human Services, respondent.

Motion by petitioner, pro se, for an extension of time for filing petition for leave to appeal to and including February 12, 2004. Motion allowed.

Order entered by Chief Justice McMorrow.

No. 97121 - Samih Murad, petitioner, v. Department of Human Services, respondent.

Motion by petitioner, pro se, for an extension of time for filing petition for leave to appeal to and including February 12, 2004. Motion allowed.

Order entered by Chief Justice McMorrow.

No. 97263 - Willard J. King, Jr., et al., petitioners, v. First Capital Financial Services Corp., etc., respondent.

Motion by respondent for leave to file supplemental authority instant.

No. 97315 - Larry R. Wetzel, petitioner, v. Timothy Tolliver et al., respondents.

Motion by petitioner, pro se, to compel the Circuit Court of St. Clair County to certify and transmit the common-law record and/or the record on appeal in Wetzel v. Tolliver et al., case No. 01-L-0624, or, in the alternative, issue a rule to show cause to the circuit court showing why the record cannot be made available. Motion denied.

Order entered by Justice Rarick.

No. 97371 - J.S.A. et al., respondents, v. M.H. et al., petitioners.

Motion by petitioners for leave to cite additional authority instante. Motion allowed.

Order entered by Justice Kilbride.

No. 97526 - Jose Luis Casmiro et al., respondents, v. Inocencio Arceo, petitioner.

Motion by petitioner for an extension of time for filing petition for leave to appeal to and including January 21, 2004.

No. 97538 - Keeley & Sons, Inc., et al., etc., respondents, v. Bi-State Regional Development Agency et al., petitioners.

Motion by respondents for an extension of time for filing answer to petition for leave to appeal to and including February 11, 2004. Motion allowed.

Order entered by Justice Rarick.

No. 97640 - Mary Detrick, respondent, v. Calvin Detrick, petitioner.

Motion by petitioner for leave to file petition for leave to appeal instante. Motion allowed.

Order entered by Chief Justice McMorro.



No. 97645 - LMB Trading Group, Inc., petitioner, v. David L. Evans, respondent.

Motion by petitioner for leave to file petition for leave to appeal instant. Motion allowed.

Order entered by Chief Justice McMorrow.

SUPREME COURT OF ILLINOIS

CALL OF THE DOCKET, WEDNESDAY, JANUARY 21, 2004

No. 96220 - Marek Paszkowski, appellee, v. Metropolitan Water Reclamation District of Greater Chicago, etc., appellant. Appeal, Appellate Court, First District.

Oral argument by Gerald T. Rohrer, Jr., for appellant and by Matthew S. Knorr and Marvin A. Brustin for appellee. Submitted. Agenda 10.

No. 96325 - Harold A. Fritz, appellant, v. John W. Johnston et al., appellees. Appeal, Appellate Court, Fourth District.

Oral argument by Robert C. Strodel for appellant and by John P. Schmidt for appellees. Submitted. Agenda 11.

No. 96402 - In re Estate of Levi E. Schlenker, etc. (Imogene Rodgers, appellee, v. Troy Schlenker, Ex'r., etc., appellant). Appeal, Appellate Court, Fifth District.

Oral argument by Richard Kruger for appellant. Submitted. Agenda 12.

No. 96581 - John "Jerry" Zaabel, petitioner, v. Hon. James J. Konetski, Associate Judge of the 18th Judicial Circuit, et al., respondents. Prohibition.

Oral argument by Michael D. Canulli for respondents. Submitted. Agenda 13.

SUPREME COURT OF ILLINOIS

WEDNESDAY, JANUARY 21, 2004

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

CIVIL DOCKET

No. 92058 - Robert Kubat, petitioner, v. Jerry L. Sterns, etc., respondent.

This cause coming to be heard on the Court's own motion, briefing in this case having been held in abeyance pending a decision in People v. Lee, Nos. 93221 and 93663, cons., which was decided August 21, 2003;

IT IS ORDERED that this Court's order of September 13, 2001, allowing the motion for leave to file a petition for writ of habeas corpus, is vacated. The motion for leave to file a petition for writ of habeas corpus is denied.

Order entered by the Court.

No. 95508 - Brad J. Lieberman, petitioner, v. Timothy Budz, etc., et al., respondents.

This cause coming to be heard on the Court's own motion, briefing in this case having been held in abeyance pending a decision in In re Detention of Varner, No. 90151, which was decided October 2, 2003;

IT IS ORDERED that this Court's order of February 19, 2003, allowing the motion for leave to file a petition for writ of habeas corpus, is vacated. The motion for leave to file a petition for writ of habeas corpus is denied.

Order entered by the Court.

No. 96581 - John "Jerry" Zaabel, petitioner, v. Hon. James J. Konetski, Associate Judge of the 18th Judicial Circuit, et al., respondents.

Motion by respondent Doris L. Kunz to dismiss appeal for failure to cite authority and failure to cite to record on appeal and in, the alternative, strike petitioner's brief and reply brief. Motion taken with the case.

Order entered by the Court.

No. 97515 - Multiut Corporation, movant, v. Hon. Ellis E. Reid, Justice of the Illinois Appellate Court, et al., respondents.

Cross-motion by respondent Miriam Draiman for a supervisory order. Motion denied.

Order entered by the Court.